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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

YAHIR MOISES GRANADOS
ARMENTA,

Defendant.

Case No. 2:23-mj-01193 DBP

FELONY COMPLAINT

Count I: 18 U.S.C. § 922(g)(5), Alien in
Possession of a Firearm.

Magistrate Judge Dustin B. Pead

Before the Honorable Dustin B. Pead, United States Chief Magistrate Judge for the
District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT I

18 U.S.C. § 922(g)(5)
(Alien in Possession of a Firearm)

On or about December 9, 2023, in the District of Utah,

YAHIR MOISES GRANADOS ARMENTA,

defendant herein, knowing he was an alien who was illegally and unlawfully in the United
States, did knowingly possess a firearm, to wit: a HS Produkt XD-S Mod.2 9mm semi-

automatic pistol, and the firearm was in and affecting commerce; all in violation of 18 U.S.C. § 922(g)(5).

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

Complainant, Bryan Ellington, being duly sworn, hereby states the following:

1. I am a detective with Salt Lake City Police Department (SLCPD) and am currently assigned to the Robbery/Violent Crimes Unit. I have been a certified police officer in the state of Utah since July 2007 and have been employed with SLCPD since May 2018. As an SLCPD officer and a detective, I have investigated cases involving the unlawful possession of firearms. I am currently a Task Force Officer (TFO) with the Bureau of Alcohol Tobacco, Firearms, and Explosives (ATF), where I am assigned to investigate offenses involving firearms. I have been assigned as such since November 2023.

2. The statements in this affidavit do not contain all known information but rather only those facts believed necessary to establish probable cause for the requested Complaint. I am familiar with the facts and circumstances set forth herein as a result of a review of official reports and records, discussions with other law enforcement officers, any my own investigative efforts, as more fully described below.

PROBABLE CAUSE

3. On December 9, 2023, a SLCPD officer stopped a vehicle for a registration violation. The driver and sole occupant of the vehicle was identified as YAHIR MOISES

GRANADOS ARMENTA. GRANADOS ARMENTA stated he had obtained the vehicle from a family member but had not registered it or obtained insurance. As the officer was speaking to GRANADOS ARMENTA, the officer noted a strong odor of both burnt and raw marijuana coming from the vehicle. When questioned, GRANADOS ARMENTA confirmed there was marijuana in the vehicle and handed the officer a partially burnt marijuana joint.

4. During a search of the vehicle, officers located a HS Produkt XD-S Mod.2 9mm semi-automatic pistol with a loaded magazine under the driver's seat. Marijuana was located on GRANADOS ARMENTA's person and in the trunk of the vehicle. Post-*Miranda*, GRANADOS ARMENTA stated he had obtained the firearm from a friend three days earlier.

5. On December 14, 2023, during an interview with an ICE deportation officer, GRANADOS ARMENTA acknowledged he was born in Los Mochis, Sinaloa, Mexico and had entered the United States illegally on or about April 30, 2021. As a result of that interview, an ICE detainer was placed upon GRANADOS ARMENTA.

6. I have examined the firearm, which bears the marking "HS Produkt Made in Croatia." Based upon this, I believe the firearm was not manufactured in the state of Utah.

7. Based on the aforementioned facts, I hereby submit that there is probable cause to believe that YAHIR MOISES GRANADOS ARMENTA committed the offense

of Alien in Possession of a Firearm, a violation of 18 U.S.C. § 922(g)(5). I swear the information contained in this affidavit is true and correct to the best of my knowledge, information, and belief.

DATED this 20th day of December, 2023.

/s/ Bryan Ellington
TFO BRYAN ELLINGTON, Affiant
Bureau of Alcohol, Tobacco, Firearms,
and Explosives

SUBSCRIBED and SWORN before me this 20th day of December, 2023.



[Signature]
DUSTIN B. PEAD
Chief Magistrate Judge, District of Utah

APPROVED AS TO FORM:

TRINA A. HIGGINS
United States Attorney

Victoria K. McFarland

VICTORIA K. MCFARLAND
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